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PATENT

Practitioner's Docket 8403.522



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Donald E. Weder

Application No.: Not Yet Assigned

Group Art Unit: Unknown

#3  
4-19-02  
ORS

Filed: Herewith

Examiner: Unknown

For: FLORAL SLEEVE HAVING EXPANDABLE SIDEWALLS

Box PATENT APPLICATION  
Commissioner of Patents  
Washington, D. C. 20231

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This  
Information Disclosure Statement

The following sections are being submitted for this Information  
Disclosure Statement:

1. [X] Preliminary Statements
2. [X] FORM PTO-1449 (Modified)
3. [X] Statement as to Information Not Found in Patents or Publications
4. [X] Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. [X] Copies of Listed Information Items Accompanying this Statement
6. [X] Identification of Person(s) Making this Information Disclosure Statement

\*\*I hereby certify that due to the indefinite suspension of U.S. Post Office Express Mail services, and pursuant to U.S. Patent and Trademark Office ("USPTO") instructions on 11/19/2001, this Information Disclosure Statement and accompanying application papers are being deposited for U.S. Express Mail in an envelope addressed to: BOX PATENT APPLICATION, COMMISSIONER FOR PATENTS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3513. IT IS FURTHER OUR UNDERSTANDING THAT THE USPTO WILL BE RESPONSIBLE FOR FORWARDING ALL OF THE ENCLOSED DOCUMENTS TO THE USPTO OFFICE LOCATED IN WASHINGTON D.C.

## **Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Form PTO-1449 (Modified)**

☒ A completed Form 1449 (Modified) is attached hereto.

☐ No Form 1449 (Modified) is attached.

## **Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449)**

Plant sleeves are old in the art. Plant sleeves typically are constructed of polymer film or paper. Plant sleeves generally are tapered (trapezoidally shaped) with an open top and an open bottom, although some have a closed bottom. A plant in a pot is placed in the plant sleeve so that the sleeve covers the pot and the plant. In some instances, an upper portion of the plant sleeve is removable along a line of perforations leaving at least a portion of the sleeve around the pot. In some instances, a separate sheet of material is placed about the pot and the remaining bottom portion of the plant sleeve holds this separate sheet of material in place. Alternatively, a floral grouping alone may be placed within the sleeve.

It is also old in the art to form a sheet of material about a flower pot and then place an elastic band around the sheet of material to hold the sheet in place about the flower pot. In some instances, the band has been positioned about the outer surface of the pot with the sheet of material positioned between the band and the flower pot. In some instances, the band has been positioned above the upper end of the pot thereby causing a portion of the sheet of material to be forced inwardly over the upper end of the pot.

It is also old in the art to form a sheet of material into a conically shaped tube like member referred to commonly in the art as a

sleeve. A floral grouping or flower pot with flowers therein can be disposed through the larger open end of the sleeve, wherein the sleeve covers the floral grouping or the flower pot and extends above and around the flowers in the floral grouping or flower pot.

It is also old in the art that cut flowers have been wrapped with the following materials or combinations of materials:

1. Kraft paper plus waxed or unwaxed tissue paper with the flowers being placed next to the waxed paper or tissue paper.
2. Kraft paper plus newspaper plus waxed or unwaxed tissue with the flowers being placed next to the waxed or unwaxed tissue. These three materials have been used to wrap flowers in various combinations such as Kraft paper plus newspaper or Kraft paper plus waxed or unwaxed tissue paper or newspaper plus waxed or unwaxed tissue paper.
3. Waxed or unwaxed tissue paper, polymer films and Kraft paper (treated for water resistance or wet strength or untreated).
4. Polymer film and waxed tissue paper.

**Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 09/621,605, filed on July 21, 2000 (date).

*(complete the following, if applicable)*

[ ] This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ (date).

The references that were submitted to, and/or cited by, the Office in the prior application(s) are not required to be provided in this application; however, the prior art references listed below were not cited previously in the prior application(s) and copies are provided herewith:

U.S. Patent Documents: 1,794,212, 1,811,574, 3,316,675, 3,550,318, 4,946,290, D315,700, 5,551,570, 6,625,979, 5,647,193, 5,715,944, D404,684, 5,974,730, D419,436, 6,098,336, 6,129,209.

Foreign Patent Or Published Foreign Patent Application: German 15,550, Japan 6-127555, Japan 8-19334, PCT 97/12819, GB 1 102 127 A, GB 2 212 136 A,

Other Materials: "Stand Along Plastic Bagmaking", "Special Occasion Printed Highlophane Bags", "Creative Packaging", "Make Highlander Your Headquarters" Brochure.

**Section 5. Copies of Listed Information Items Accompanying this Statement**

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

☒ Exception(s) to above:

☒ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

**Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

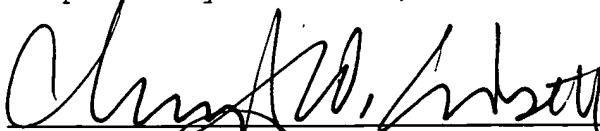
The person making this statement is the attorney who signs below on the basis of the information:

☐ supplied by the inventor(s)

☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).

☒ in the attorney's file

Respectfully submitted,



Christopher W. Corbett, Reg. No. 36,109  
DUNLAP, CODDING & ROGERS, P.C.  
9400 North Broadway, Suite 420  
Oklahoma City, Oklahoma 73114  
Telephone: (405) 478-5344  
Facsimile: (405) 478-5349

Agent for Applicant